

APPLICATION FOR APPROVAL AS CONTINUING EDUCATION PROVIDER

Home Study Not Allowed

Licensing and Certification Program
MS 3301
1615 Capitol Avenue
P.O. Box 997416
Sacramento, CA 95899-7416
(916) 327-2445

TYPE OR PRINT.

Provider name and address	FOR OFFICE USE ONLY
	Provider identification training number
	Approval period
	Business telephone number ()
	Residence telephone number ()
	County

Have you ever been approved as a provider of in-service/continuing education? ☐ Yes ☐ No

By whom (board/organization)

If yes, provider name	Provider number
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Provider is a/an:

<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation	<input type="checkbox"/> University, college, or school
<input type="checkbox"/> Health facility	<input type="checkbox"/> Government, agency	<input type="checkbox"/> Association	

In-service/continuing education instructor(s):

Name	Telephone number ()	Charge per CEU
Name	Telephone number ()	

Use the back of this form if additional space is required.

Individual responsible for record keeping		Telephone number ()	
Address of record storage (number, street)	City	State	ZIP code
Application submitted by		Title	

HOME STUDY IS NOT ACCEPTABLE AS CONTINUING EDUCATION CREDIT.

The continuing education certificate issued to the CNA must contain the items listed below.

The nursing facility, agency, or public educational institution shall provide each certified nurse assistant with a record of the in-service training program or continuing education course he/she has completed. The record shall include:

1. The individual's name and nurse assistant certification number.
2. The title of the program.
3. The date and hours attended.
4. The name, addresses, and telephone number(s) of the organization or individual providing the training.
5. The name, professional title, and signature of the Director of Staff Development or instructor.
6. The provider identification training number issued by the Department.
7. The following statement: "This record shall be retained by the certified nurse assistant for a period of four years starting from the date of enrollment."

IMPORTANT: To become a provider, please submit this form with: one-year schedule of courses with CEU hours listed; lesson plans, course outlines, and sample tests for four classes; resumes for all instructors. You may be requested to submit additional information. Program will be reviewed for reapproval every two years.

I affirm the foregoing information is true and correct.

Signature	Date
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Privacy Statement: The Governor's Executive Order B-22-76 requires the information to be provided when collecting information from individuals. The information requested on this form is required by the Department of Health Services, Licensing and Certification, Aide and Technician Certification Section, to determine whether you are eligible to be approved as a provider of continuing education. Furnishing the information requested on this form is mandatory. If any part of the requested information is not provided, your application will not be evaluated and, therefore, you will be denied a provider identification training number.

Legal references authorizing maintenance of this information include Health and Safety Code, Sections 1337 through 1338.1. The Deputy Director, Licensing and Certification, is responsible for maintenance of this information. Inquiries can be mailed to: California Department of Health Services, Licensing and Certification, MS 3301, 1615 Capitol Avenue, P.O. Box 997416, Sacramento, CA 95899-7416; or call (916) 327-2445.

HISTORY

1. New section filed 7-16-91 as an emergency; operative 7-16-91 (Register 91, No. 46). A Certificate of Compliance must be transmitted to OAL by 11-13-91 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 11-14-91 as an emergency; operative 11-13-91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3-12-92 or emergency language will be repealed by operation of law on the following day.
3. Editorial correction of History 2. filed and new section refiled 5-6-92 as an emergency; operative 5-6-92 (Register 92, No. 20). A Certificate of Compliance must be transmitted to OAL 9-3-92 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 5-6-92 order including new subsection (b)(1) and renumbering of following subsection with amendment, repealer of subsection (b)(2), new subsections (b)(3)–(b)(3)(C), and amendment of subsection (c) transmitted to OAL 8-27-92 and filed 10-9-92 (Register 92, No. 41).

§ 71841. Fees and Penalties.

(a) Each individual shall submit a fee for the issuance and renewal of certificates, replacement of certificates and penalties for late filings of renewals.

- (1) The application for certification fee shall be fifteen dollars (\$15.00).
- (2) The renewal fee shall be twenty dollars (\$20.00).
- (3) The Delinquency fee shall be ten dollars (\$10.00).
- (4) The duplicate fee for lost certificates shall be five dollars (\$5.00).

(b) Payment by mail for the required fee shall be by personal check, cashier's check, certified check, or money order. The penalty for submitting insufficient funds or any fictitious check shall be a fine of ten dollars (\$10.00) in addition to any adverse action imposed pursuant to Health and Safety Code, Section 1337.8.

NOTE

Authority cited: Sections 208(a), 1275 and 1338.3, Health and Safety Code. Reference: Section 1337.7, Health and Safety Code.

HISTORY

1. New section filed 7-16-91 as an emergency; operative 7-16-91 (Register 91, No. 46). A Certificate of Compliance must be transmitted to OAL by 11-13-91 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 11-14-91 as an emergency; operative 11-13-91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3-12-92 or emergency language will be repealed by operation of law on the following day.
3. Editorial correction of History 2. filed and new section refiled 5-6-92 as an emergency; operative 5-6-92 (Register 92, No. 20). A Certificate of Compliance must be transmitted to OAL 9-3-92 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 5-6-92 order including amendment of subsection (a)(1) transmitted to OAL 8-27-92 and filed 10-9-92 (Register 92, No. 41).

Article 4. Continuing Education and In-Service Training**§ 71843. Provider Identification Training Number.**

(a) A provider identification training number shall be issued to all existing nursing facilities who have an in-service training program.

(b) A provider identification training number shall be issued in accordance with the time frames indicated in Sections 71845(b) and 71847(c). This number shall be issued to each new program provider at the time of course approval and prior to the provider offering an in-service training program or continuing education course to a certified nurse assistant for credit.

(c) If two (2) or more providers cosponsor a course, only one (1) provider identification number shall be used for that course and the provider whose number is used shall assume full responsibility for the course.

(c) The provider identification training number is not transferable.

NOTE

Authority cited: Sections 208(a), 1275, and 1338.3, Health and Safety Code. Reference: Section 1337.3(d), Health and Safety Code.

HISTORY

1. New section filed 7-16-91 as an emergency; operative 7-16-91 (Register 91, No. 46). A Certificate of Compliance must be transmitted to OAL by 11-13-91 or emergency language will be repealed by operation of law on the following day.

2. New section refiled 11-14-91 as an emergency; operative 11-13-91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3-12-92 or emergency language will be repealed by operation of law on the following day.
3. Editorial correction of History 2. filed and new section refiled 5-6-92 as an emergency; operative 5-6-92 (Register 92, No. 20). A Certificate of Compliance must be transmitted to OAL 9-3-92 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 5-6-92 order including amendment of subsection (b) transmitted to OAL 8-27-92 and filed 10-9-92 (Register 92, No. 41).

§ 71845. Continuing Education.

(a) Continuing education may be offered by an individual, partnership, corporation, association, governmental entity, agency, or public educational institution approved by the Department.

(b) Application for approval of new and renewal of existing continuing education programs shall be submitted to the Department at the address specified in Section 71833(b).

(1) Starting from the date the Department receives an application for a continuing education program, the applicant shall be informed within 30 days whether the application is complete and accepted for filing or that the application is deficient and what specific information is needed.

(2) An application shall be considered complete when received by the Department with all the requirements in subsection (c) included.

(3) Starting from the date a completed application is received, the Department will make a decision, whether to approve or disapprove it within 90 days. The Department's time frames for acting on an application for approval of a continuing education program are as follows:

- (A) Minimum 30 days
- (B) Median 60 days
- (C) Maximum 90 days

(c) Application for approval of an initial continuing education programs shall include the following:

(1) A course title, course outline, core curriculum, and lesson plan(s). Lesson plans shall include student performance standards and an outline of content to be provided for each particular lesson. Lesson plans must provide the Department with adequate detail (i.e., method, technique, procedure) to discern what is being taught. Plans must also include the method of evaluating the results of the training. Course content shall be designed to enhance knowledge and skills acquired during the basic certification training.

(2) The number of hours scheduled for presentation.

(3) A sample of an evaluation tool.

(d) Approved providers of continuing education shall maintain the program and attendance records of all students for a period of four (4) years from the starting date of each class. The records shall be immediately accessible upon request.

(e) Authorization to participate as a continuing education provider shall be revoked if it is found that the program is not being conducted in accordance with the approved plan or in accordance with this chapter. The provider may submit a new application after ninety (90) days following revocation if deficiencies have been corrected.

(f) Providers shall request Departmental approval whenever changes are made to the program as originally approved.

(g) Providers shall submit a request for Department review and approval not later than thirty (30) days prior to a change in the program and within thirty (30) days following a change in staff.

(h) A nurse instructor shall hold a current valid license to practice as a licensed nurse.

(i) A consultant who is instructing in a health area which requires a license, must be currently licensed, registered, or certified in his or her area of expertise.

(j) Continuing Education Credit.

(1) One (1) hour of classroom theory shall be accepted as one (1) hour of continuing education credit.

(2) Three (3) hours in course related clinical training shall be accepted as one (1) hour of continuing education credit.

NOTE

Authority cited: Sections 208(a), 1275, and 1338.3, Health and Safety Code. Reference: Sections 1337.1(c) and 1337.6(a), Health and Safety Code.

HISTORY

1. New section filed 7-16-91 as an emergency; operative 7-16-91 (Register 91, No. 46). A Certificate of Compliance must be transmitted to OAL by 11-13-91 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 11-14-91 as an emergency; operative 11-13-91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3-12-92 or emergency language will be repealed by operation of law on the following day.
3. Editorial correction of HISTORY 2. filed and new section refiled 5-6-92 as an emergency; operative 5-6-92 (Register 92, No. 20). A Certificate of Compliance must be transmitted to OAL 9-3-92 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 5-6-92 order including amendment of subsection (b), new subsection (b)(1) and renumbering and amendment of following subsection, repealer of subsection (b)(2), new subsections (b)(3)–(b)(3)(C), amendment of subsections (c)(1) and (d), repealer of subsections (e)(1)–(2) and relettering of following subsections, and amendment of subsections (f), (g), and (i) transmitted to OAL 8-27-92 and filed 10-9-92 (Register 92, No. 41).

§ 71847. In-Service Training Program.

(a) Each facility shall complete a performance review of every nurse assistant employed by the facility at least once every 12 months and must provide regular in-service training based on the outcome of these reviews.

(b) In-service training programs shall take place in a nursing facility. Such facility shall have a written plan describing its in-service training program.

(c) Applications for approval and renewal of written plans for in-service training programs shall be submitted to the Department for approval at the address specified in Section 71833(b).

(1) Starting from the date the Department receives an application for an in-service training program, the applicant shall be informed within 30 days whether the application is complete and accepted for filing or that the application is deficient and what specific information is needed.

(2) An application shall be considered complete when received by the Department with all the requirements in subsections (d), (e), and (f) of this section included.

(3) Starting from the date a completed application is received, the Department will make a decision whether to approve or disapprove it within 90 days. The Department's time frames for acting on an application for approval of an in-service training program are as follows:

- (A) Minimum..... 30 days
- (B) Median..... 60 days
- (C) Maximum..... 90 days

(d) Each application for approval or renewal of an in-service training program shall include:

(1) A three (3) month in-service schedule.

(2) A course title, course outline, core curriculum, and lesson plans(s). The lesson plan must include student performance standards and a description of topics included which provides the Department with adequate detail (i.e., method, technique, procedure) to discern what is taught. The lesson plan must describe the method of teaching and the method of evaluating the results of the training.

(3) The number of hours for presentation and presentation dates.

(4) The method to evaluate learning when audio/video tapes or films are used.

(e) each nursing facility shall include a schedule to demonstrate how it will make available twenty-four (24) hours of varied in-service training annually. The in-service training shall include multiple subjects.

(1) In-service training program sessions shall be made available to all employed certified nurse assistants who shall receive at least the normal hourly wage for attending the program.

(f) The content of the in-service training program shall enhance knowledge and skills learned in the certification training program and shall also address areas of weakness as determined by a nurse assistant's performance reviews, areas of special needs of the patients, including those with cognitive needs, and areas wherein the facility received deficiencies related to patient care following the last licensing survey. Subjects may include, but are not limited to:

(1) Working with patients who have special problems such as blindness, deafness, confusion, or communication disabilities.

(2) Bladder and bowel training and management.

(3) Signs, symptoms, and probable causes of patient distress with procedures to be followed for alleviating distress and emergency procedures for the relief of choking.

(4) Psychosocial aspects of aging and/or chronic illness as relevant to the individual, family, and community.

(5) Patient care elements including planning and organizing work while individualizing patient care; testing urine for sugar and acetone; measuring blood pressure, and administering nonmedicated enemas.

(6) Nursing care relevant to body systems including, but not limited to, fractures, diabetes, cardiac disorders, dementia, cerebrovascular accidents, arthritis, pulmonary disorders, and infectious diseases including Acquired Immune Deficiency Syndrome (AIDS).

(7) Nutritional needs of patients and related nursing interventions.

(8) Oral hygiene.

(9) Patient care conferences and patient care plans involving the patient and the patient's family.

(10) Improving skills in observation, reporting, and recording of patient information.

(11) Developing effective relationships and means of intervention on behalf of the patients.

(12) Social and recreational needs of the patient.

(13) Working with the dying patient and the family.

(14) Environmental safety including fire and accident prevention.

(15) Universal precautions for infection control including methods to handle all patients and all materials that are soiled with blood and/or body fluids from all patients. The methods prescribed shall be developed to reduce the risk of transmission of potentially infectious etiologic agents from patients and between patients and health care workers.

(16) Patients' rights and civil rights.

(17) Disaster preparedness.

(18) Sensory deprivation and stimulation.

(19) Maintenance of healthy skin: prevention of skin breakdown, body positioning, and range of motion.

(20) Use of adaptive equipment relevant to nutrition and physical dysfunction.

(21) Safeguarding patients' personal property through compliance with the facility's theft and loss prevention program.

(g) In-service training programs shall describe what staff needs were assessed, how the program plan will meet those needs, how the plan will be implemented, and how staff learning will be assessed.

(h) Each nursing facility shall submit a renewal request for the Department's review and approval every two years and not later than thirty (30) days prior to a change in core curriculum content or training hours or thirty (30) days following a change in program staff.

(i) A nursing facility shall keep all records of in-service training programs on file for a period of four years starting from the date the first classes were offered.

NOTE

Authority cited: Sections 208(a), 1275, and 1338.3, Health and Safety Code. Reference: Sections 1337.1(c), 1337.1(d), 1337.3, 1337.5(a), and 1337.6(a), Health and Safety Code.

HISTORY

1. New section filed 7-16-91 as an emergency; operative 7-16-91 (Register 91, No. 46). A Certificate of Compliance must be transmitted to OAL by 11-13-91 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 11-14-91 as an emergency; operative 11-13-91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3-12-92 or emergency language will be repealed by operation of law on the following day.
3. Editorial correction of HISTORY 2. filed and new section refiled 5-6-92 as an emergency; operative 5-6-92 (Register 92, No. 20). A Certificate of Compliance must be transmitted to OAL 9-3-92 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 5-6-92 order including amendment transmitted to OAL 8-27-92 and filed 10-9-92 (Register 92, No. 41).

§ 71849. In-Service Training Program and Continuing Education Course Record of Attendance.

(a) The nursing facility, agency, or public educational institution shall provide each certified nurse assistant with a record of the in-service training program or continuing education course he or she has completed. The record shall include:

- (1) The individual's name and nurse assistant certification number.
- (2) The title of the program.
- (3) The date and hours attended.
- (4) The name, address, and telephone number of the organization or individual providing the training.
- (5) The name, professional title, and signature of the Director of Staff Development or instructor.
- (6) The provider identification training number issued by the Department.
- (7) The following statement: "This record shall be retained by the certified nurse assistant for a period of four (4) years starting from the date of enrollment."

(b) The orientation program in a nursing facility and the certification training program shall not be claimed by the certified nurse assistant as in-service or continuing education credit.

(c) Credit shall not be claimed for partial completion of in-service or continuing education by the certified nurse assistant.

(d) Nursing facilities may plan joint in-service classes and continuing education courses and share community resources as long as one provider can be identified as fully responsible. Each participating facility, agency, or public educational institution shall retain in-service or continuing education class records of instructors, class schedules, and participating students for a period of four (4) years from the date each class starts. These records shall be kept available for Departmental review.

NOTE

Authority cited: Sections 208(a), 1275 and 1338.3, Health and Safety Code. Reference: Sections 1337.1 and 1337.6, Health and Safety Code.

HISTORY

1. New section filed 7-16-91 as an emergency; operative 7/16/91 (Register 91, No. 46). A Certificate of Compliance must be transmitted to OAL by 11-13-91 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 11-14-91 as an emergency; operative 11-13-91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3-12-92 or emergency language will be repealed by operation of law on the following day.
3. Editorial correction of HISTORY 2. filed and new section refiled 5-6-92 as an emergency; operative 5-6-92 (Register 92, No. 20). A Certificate of Compliance must be transmitted to OAL 9-3-92 or emergency language will be repealed by operation of law on the following day.
4. Amendment of subsections (a)(7) and (d) transmitted to OAL 8-27-92 and filed 10-9-92 (Register 92, No. 41).

(c) At least twenty (20) business days prior to the effective date of the action, the Department shall mail the certified nurse assistant a written notice of the proposed action. The Department shall send this notice by certified mail to the most recent address on record and shall indicate the reasons for such action and shall include a copy of the charges and material upon which the action is based and an explanation of the right to respond either verbally or in writing to a Departmental representative at an informal hearing. Persons convicted in a court of law are not eligible for the informal hearing process. The informal hearing shall be held at a location designated by the Department. The nurse assistant must submit a request for an informal hearing within fifteen (15) business days of receipt of the notice of the effective date of an action to suspend or revoke his or her certificate. The Department shall conduct the informal hearing within five (5) business days of receipt of a timely request for a hearing.

(d) Any certified nurse assistant may forego the informal hearing process and proceed directly to a formal administrative hearing by writing to the Department's Nurse Assistant Certification section within 20 calendar days of receipt of the Department's notice of adverse action.

(e) The Department must issue a written decision to the individual by certified mail within five (5) business days after close of the informal hearing. The decision must notify the individual of his or her right to an appeal pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code if the individual is dissatisfied with the decision. The nurse assistant must submit his/her appeal to the Department's Licensing and Certification Program, Nurse Assistant Certification Section, at the address provided in section 71837(c) within twenty (20) business days of the decision.

NOTE

Authority cited: Sections 208(a), 1275, and 1338.3, Health and Safety Code. Reference: Section 1337.8, Health and Safety Code, *Skelly vs. State Personnel Board* (1975) 15 Cal3d 194.

HISTORY

1. New section filed 7-16-91 as an emergency; operative 7-16-91 (Register 91, No. 46). A Certificate of Compliance must be transmitted to OAL by 11-13-91 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 11-14-91 as an emergency; operative 11-13-91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3-12-92 or emergency language will be repealed by operation of law on the following day.
3. Editorial correction of HISTORY 2. filed and new section refiled 5-6-92 as an emergency; operative 5-6-92 (Register 92, No. 20). A Certificate of Compliance must be transmitted to OAL 9-3-92 or emergency language will be repealed by operation of law on the following day.
4. Amendment of subsection (c) transmitted to OAL 8-27-92 and filed 10-9-92 (Register 92, No. 41).

§ 71853. Program Site Visits.

When the Department makes a site visit and finds that the program or provider is out of compliance with this chapter or the provider's own policies and procedures, the nursing facility, agency, or public educational institution must implement corrective action. Unless a different time period is specified, the facility, agency, or public educational institution shall make the corrections within sixty (60) days of the notice of noncompliance or its program will be disapproved. Providers of programs which are brought back into compliance may apply for reinstatement to the Department's Nurse Assistant Certification Unit.

NOTE

Authority cited: Sections 208(a), 1275 and 1338.3, Health and Safety Code. Reference: Section 1337.3(b), Health and Safety Code.

Article 5. Adverse Actions and Corrective Remedies**§ 71851. Disciplinary Actions and Appeals.**

(a) The Department shall take disciplinary action against certified nurse assistants in accordance with the specifications in Section 1337.8 of the Health and Safety Code.

(b) When determining whether to revoke, deny, suspend, or place on probation the certificate of a certified nurse assistant, the Department shall consider at least the following criteria:

- (1) The individual's total criminal record.
- (2) The nature and severity of the act(s) or crime(s) under consideration.
- (3) Evidence of any act(s) or crimes committed subsequent to the act(s) or crime(s) under consideration.
- (4) The time that has elapsed since commission of the act(s) or crime(s) referred to in subsections (1) and (2) of this regulation.
- (5) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.
- (6) The evidences, if any, of rehabilitation submitted by the applicant.